REMARKS

In response to the Office Action of July 3, 2003, Applicant has amended the claims, which when considered with the following remarks, is deemed to place the present application in condition for allowance. Favorable consideration of all pending claims is respectfully requested. Amendments of claims have been made in the interest of expediting prosecution of this case. Amendments and/or cancellation of claims have been made in the interest of expediting prosecution of this case. Applicants reserve the right to prosecute the same or similar subject matter in this or another application.

Claims 1-23 are pending in this application. Claims 8-20 have been withdrawn from consideration by the Examiner as being drawn to a non-elected invention. By this Amendment, Claims 1-4 have been amended and new Claims 21-23 have been added.

In the Office Action, the Examiner issued a requirement for restriction under 35 U.S.C. §121 categorizing original Claims 1-20 as follows: Group I made up of Claims 1-7 drawn to a process; and Group II made up of Claims 8-20 drawn to a composition. A provisional election was made by applicant with traverse to prosecute the invention of Group I. Applicant elects herein, with traverse, the subject matter of the claims of Group I, i.e., Claims 1-7, for examination in this application.

Applicants respectfully reserve the right to file a divisional application to non-elected Claims 8-20 in the event the Examiner's restriction requirement is made final and such claims are canceled from the present application.

It is respectfully submitted that the requirement for restriction between the claims of Group I and Group II is improper and should be withdrawn.

Restriction is proper only if the claims are either independent or patentably distinct and the search and examination of the entire application would impose a serious burden on the examiner (MPEP § 803). Applicants respectfully traverse the Restriction Requirement because the Examiner has not provided sufficient reasons to show that such a burden exists. Here, all of applicant's claims are directed either to a process for the hydrogenation and/or dehalogenation of polyalphaolefin by hydrogenating and/or dehalogenating at least one polymerized α-olefin under catalytic hydrogenation and/or dehalogenation conditions in the presence of hydrogen and a catalytically effective amount of a substantially amorphous hydrogenation/dehalogenation catalyst (Claims 1-7); or to a substantially hydrogenated and/or substantially dehalogenated polyalphaolefin homo- or copolymer obtained from the polymerization of at least one α-olefin, by hydrogenating and/or dehalogenating the polymerized α-olefin under catalytic hydrogenation and/or dehalogenation conditions in the presence of hydrogen and a catalytically effective amount of a substantially amorphous hydrogenation/dehalogenation catalyst (Claims 8-20).

Applicant submits that the Examiner, in searching a process for the hydrogenation and/or dehalogenation of polyalphaolefin by hydrogenating and/or dehalogenating at least one polymerized α-olefin under catalytic hydrogenation and/or dehalogenation conditions in the presence of hydrogen and a catalytically effective amount of a substantially amorphous hydrogenation/dehalogenation catalyst for as claimed by applicant, would necessarily find art related to a process employing these components (the claims of Group I) and a substantially

hydrogenated and/or substantially dehalogenated polyalphaolefin homo- or copolymer obtained from a process employing the components (the claims of Group II).

Accordingly, applicant respectfully requests that the Examiner withdraw, or at the very least modify, the requirement for restriction and provide an action on the merits of nonelected Claims 8-20.

The Examiner has rejected Claims 1-7 under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-7 have been amended in a manner believed to obviate this rejection. Accordingly, withdrawal of the rejection of Claims 1-7 under 35 U.S.C. §112, second paragraph, is respectfully requested.

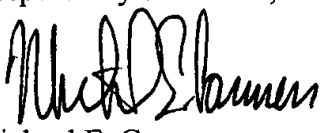
The Examiner has rejected Claims 1-7 under 35 U.S.C. §102(b) as obvious over Degnan et al. U.S. Patent No. 5,573,657 ("Degnan").

Nowhere does Degnan disclose or suggest a process for the hydrogenation and/or dehalogenation of polyalphaolefin to provide a substantially hydrogenated and/or substantially dehalogenated polyalphaolefin homo- or copolymer employing a catalytically effective amount of a substantially amorphous hydrogenation/dehalogenation catalyst comprising a metal component on an inorganic material based support wherein the metal component is present in an amount of about 0.01 to about 5 weight percent, based on the total weight of the catalyst as generally recited in Claim 1.

Rather, Degnan generally discloses that hydrogenation is a well-established process both in the chemical and petroleum refining industries and is conventionally carried out in the presence of a catalyst which usually comprises a metal hydrogenation component, e.g., nickel or noble metals such as platinum, palladium, rhodium and iridium, on a porous support material. Degnan further discloses that conventional amorphous support materials such as alumina, silica and silica-alumina typically have a pore size distribution with most of the pores larger than 50 Å and most of these are larger than 100 Å. At no point however is there any disclosure, suggestion or even a hint in Degnan that the metal component is present in an amount of about 0.01 to about 5 weight percent, based on the total weight of the catalyst. In lacking any disclosure or suggestion of the presently recited amorphous hydrogenation/dehalogenation catalyst comprising a metal component on an inorganic material based support for use in the process of Claim 1, Claims 1-7 and new Claims 21-23 are believed to be patentable over Degnan. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

For the foregoing reasons, amended Claims 1-22 as presented herein are believed to be in condition for immediate allowance. Such early and favorable action is earnestly solicited.

Respectfully submitted,



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